

CUST#P880045  
NPO#MXI-P0013-USA:0//

## REMARKS

### Election/Restriction

This application contains claims directed to the  
5 following patentably distinct species of the claimed  
invention: 1) a nonvolatile memory positioned on a  
semiconductor wafer (claims 1-14 and 26-32); and 2)  
a nonvolatile memory positioned on a substrate of a  
semiconductor wafer having a common doped region  
10 positioned between the main memory array region and  
the redundant memory array region (claims 15-17 and  
22-25); and 3) a controlling method of a nonvolatile  
memory (claims 18-21).

Applicant is required under 35 U.S.C 121 to elect a single  
15 disclosed species for prosecution on the merits to which the  
claims shall be restricted if no generic claim is finally held  
to be allowable. Currently, no claim is generic.

Applicant is advised that a reply to this  
requirement must include an identification of the  
20 species that is elected consonant with this  
requirement, and a listing of all claims readable  
thereon, including any claims subsequently added. An  
arrangement that a claim is allowable or that all  
claims are generic is considered nonresponsive unless  
25 accompanied by an election.

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Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent from or otherwise include all the limitations of an allowed 5 generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.2(a).

Should applicant traverse on the ground that the 10 species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner fined one of the inventions 15 unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

**Response:**

20 The applicant accepts the Examiner's opinion and amends the claims in the above AMENDMENT TO THE CLAIMS portion according to 37 CFR 1.143. The species 1) of claims 1-14 and 26-32 are elected as the subject matter to be examined in the present application. The species 2) and 3) of claims 15-25

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are non-elected and therefore canceled. Reconsideration over claims 1-14 and 26-32 is hereby requested.

However, the applicant believes that species 1) and 2) of 5 the present application does not need an election. Claim 1 discloses "a common source used as the main source and the redundant source formed between the main memory array region and the redundant memory array region", claim 8 discloses "a common drain used as the main drain and the redundant drain 10 formed between the main memory array region and the redundant memory array region", and claim 26 discloses "a common doped region is commonly used by the main memory array region and the redundant memory array region".

15 The characteristic of species 1) is same as species 2) that the Examiner categorizes as "a nonvolatile memory positioned on a substrate of a semiconductor wafer having a common doped region positioned between the main memory array region and the redundant memory array 20 region".

Therefore, the applicant believes that the species 1) and 2) of the present application do not have to be elected. Reconsideration over claims 1-17 and 22-32 is hereby

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requested.

5 Sincerely yours,

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